

HOUSE BILL 224
By Kent

AN ACT to amend Tennessee Code Annotated, Title 62, Chapter 6,
relative to plumbers.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 62-6-111(i)(2), is amended by
deleting subdivision (C) in its entirety and by substituting instead the following:

(C) Paying any inspection or permit fees customarily required by any county or
municipality for such work. No county or municipality shall require such state licensee or
its employees who hold a state approved master plumber license, a state approved
journeyman license, or who are registered apprentices, to pass any county or municipal
test or examination; nor shall a county or municipality impose any additional
requirements upon such state licensee or its employees, nor in any way discriminate
against such state licensee or its employees on the basis of the licensee's nonresidency
within the county or municipality.

SECTION 2. Tennessee Code Annotated, Section 62-6-102, is amended by adding the
following new subdivisions thereto:

() “Apprentice plumber” means a natural person engaged in learning the plumbing trade by working under the direct on-the-job supervision of a journeyman or master plumber, and is in the employ of an employing entity;

() “Journeyman plumber” means a natural person who possesses the necessary qualifications and knowledge to install, alter, and/or repair plumbing systems; is licensed as such by the board; is supervised by a master plumber; and is in the employ of an employing entity;

() “Master plumber” means a natural person who possesses the necessary qualifications and knowledge to plan and lay out plumbing systems; who supervises journeymen and apprentice plumbers in the installation, alteration, and/or repair of plumbing systems; and who is licensed as such by the board.

SECTION 3. Tennessee Code Annotated, Section 62-6-111, is amended by adding a new subsection thereto, as follows:

(k)

(1) Notwithstanding subdivision (2) or any provision of law to the contrary, the board may issue a license as a master or journeyman plumber to any individual without an examination as required by this chapter, if such individual makes an application to the board in which the following information is provided:

(A) Evidence that all fees and taxes relative to the operation of such applicant's plumbing work have been paid to the appropriate agencies at the time such application is filed under this subsection; and

(B) A current license or certificate issued by any county or municipality of this state prior to January 1, 2004, that is evidence that such applicant had by examination by an official of such county or municipality demonstrated the qualifications required to perform such

plumbing contract work within its jurisdiction and was actively engaged in such business on January 1, 2004.

(2) Any person who performs plumbing work wishing to obtain a state approved license as a master or journeyman plumber shall apply to the board for a license. To receive a license, the applicant shall pay a fee as set by the board for such license and, except as provided by subdivision (1), shall pass a psychometrically developed examination administered by a national organization only after having qualified to take the examination. To be qualified to take the journeyman examination, a person shall have a minimum of three (3) years' experience as an apprentice and other such requirements as the board may determine. To be qualified to take the master examination, a person shall have a minimum of three (3) years' experience as a registered journeyman and other such requirements as the board may determine.

(3) Notwithstanding any provision of this part to the contrary, a state license as a master or journeyman plumber shall not be required in any municipality or county that issues licenses to persons who perform plumbing work in such municipality or county.

(4) A person who performs plumbing work and who wishes to obtain registration as an apprentice plumber shall apply to the board for registration. To obtain registration as an apprentice plumber, the applicant shall submit a completed application approved by the board and a fee as set by the board.

(5) The provisions of the Uniform Administrative Procedures Act, compiled in Title 4, Chapter 5, govern all matters and procedures respecting the hearing and judicial review of any contested case, as defined therein, arising under this section.

(6) The state fire marshal, or a designee of the state fire marshal, and the board for licensing contractors shall formulate a system for codes inspectors to report to the board any problems they may encounter with the workmanship of a master, journeymen, or apprentice plumber.

SECTION 4. Tennessee Code Annotated, Section 62-6-130, is amended by designating the existing language as subsection (a) and by adding a new subsection thereto, as follows:

(b) Nothing in this chapter shall be construed to provide that a master or journeymen plumber is a contractor. It is the intent of this chapter to provide that a master or journeymen plumber is subject to the jurisdiction of the board solely for the purposes of licensure and disciplinary proceedings. No master or journeymen plumber shall be authorized to use the appellation "contractor" or any other designation that gives or is designed to give the impression that a master or journeymen plumber is a contractor unless the master or journeymen plumber also holds a valid contractor's license issued by the board.

SECTION 5. Tennessee Code Annotated, Section 62-6-131, is amended by adding the following new subsections thereto:

(e) No person shall be required to post a bond, provide a financial statement or a letter of reference in order to obtain a license as a master or journeyman plumber.

(f) All master and journeymen plumber licenses shall expire biennially on the month of their issuance.

(g) The board shall prescribe fees for the issuance and renewal of licenses of master and journeymen plumbers. Such fees shall be in an amount that provides for the cost of administering the licensing and regulation of master and journeymen plumbers. Fees shall be adjusted as necessary to provide that the licensing of master and journeymen plumbers is fiscally self-sufficient and that revenues from fees do not exceed necessary and required expenditures.

(h) Apprentice registrations shall not expire until licensure as a master or journeyman plumber is granted by the board.

(i) Unless otherwise required by law, no person shall be required to obtain a license as a master or journeyman plumber in order to conduct plumbing working in this state.

SECTION 6. For the purpose of promulgating rules and regulations to implement the provisions of this act, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect January 1, 2004, the public welfare requiring it.